

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, APRIL 8, 2014

Printed daily by the State of Iowa during the sessions of the General Assembly. An official corrected copy is available for reference in the Secretary of the Senate's Office. (The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE SENATE

EIGHTY-SIXTH CALENDAR DAY
FIFTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 8, 2014

The Senate met in regular session at 9:04 a.m., President Jochum presiding.

Prayer was offered by Pastor Lloyd Johnson of the First Baptist Church in Centerville, Iowa. He was the guest of Senator Rozenboom.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Allen Tegatz.

The Journal of Monday, April 7, 2014, was approved.

SPECIAL GUEST

President Jochum introduced to the Senate chamber the Honorable Roger Stewart, former member of the Senate from Jackson County, Preston, Iowa.

The Senate rose and expressed its welcome.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 7, 2014, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

[House File 2366](#), a bill for an act relating to local elections and voter registration by providing for electronic storage of voter registration applications by a county and by providing changes in the process for filling vacancies in elective city office.

ALSO: That the House has on April 7, 2014, **amended and passed** the following bills in which the concurrence of the Senate is asked:

[Senate File 2195](#), a bill for an act modifying provisions applicable to telecommunications regulation under the authority of the utilities board of the utilities division of the department of commerce. ([S-5135](#))

[Senate File 2310](#), a bill for an act relating to the underage possession or consumption of alcohol and providing penalties. ([S-5136](#))

The Senate stood at ease at 9:25 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:34 a.m., President Jochum presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Houser, until he arrives, on request of Senator Dix.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 499](#).

[House File 499](#)

On motion of Senator Dearden, [House File 499](#), a bill for an act permitting the use of crossbows to hunt deer and providing penalties, placed on the Unfinished Business Calendar on April 11, 2013, with report of committee recommending passage, was taken up for consideration.

Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 499](#)), the vote was:

Yeas, 49:

Anderson	Danielson	Hogg	Segebart
Beall	Dearden	Horn	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Taylor
Bolkcom	Feenstra	McCoy	Whitver
Bowman	Garrett	Petersen	Wilhelm
Brase	Greiner	Quirnbach	Zaun
Breitbach	Gronstal	Ragan	Zumbach
Chapman	Guth	Rozenboom	
Chelgren	Hart	Schneider	
Courtney	Hatch	Schoenjahn	

Nays, none.

Absent, 1:

Houser

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

[Senate File 366](#)

Senator Gronstal called up for consideration [Senate File 366](#), a bill for an act relating to radon control and making penalties applicable, amended by the House in House amendment [S-5084](#), filed March 19, 2014.

Senator McCoy moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator McCoy moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 366](#)), the vote was:

Yeas, 39:

Anderson	Dearden	Hogg	Schoenjahn
Beall	Dix	Horn	Segebart
Bertrand	Dotzler	Jochum	Seng
Black	Dvorsky	Mathis	Smith
Bolkcom	Ernst	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Greiner	Quirnbach	Whitver
Chelgren	Gronstal	Ragan	Wilhelm
Courtney	Hart	Rozenboom	Zaun
Danielson	Hatch	Schneider	

Nays, 10:

Behn	Chapman	Johnson	Zumbach
Boettger	Feenstra	Kapucian	
Breitbach	Guth	Sinclair	

Absent, 1:

Houser

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 366](#) and [House File 499](#) be **immediately messaged** to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Gronstal called up the following eligible appointees on the En Bloc Confirmation Calendar:

Pamela Davis, Board of Athletic Training

Gary McDermott, Prevention of Disabilities Policy Council

Matthew Harkin, Iowa Drug Policy Advisory Council

James Christensen, Early Childhood Iowa State Board

Pete Brownell, Economic Development Authority

Ronald Herrig, Flood Mitigation Board

Lori Goetzinger, Iowa Grain Indemnity Fund Board

Rebecca Ervin, Board of Mortuary Science

Michael Jenison, Board of Nursing Home Administrators

Kevin Kiene, Plumbing and Mechanical Systems Examining Board

Douglas Thompson, Renewable Fuel Infrastructure Board

Senator Gronstal moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Yeas, 49:

Anderson	Danielson	Hogg	Segebart
Beall	Dearden	Horn	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Taylor
Bolkcom	Feenstra	McCoy	Whitver
Bowman	Garrett	Petersen	Wilhelm
Brase	Greiner	Quirnbach	Zaun
Breitbach	Gronstal	Ragan	Zumbach
Chapman	Guth	Rozenboom	
Chelgren	Hart	Schneider	
Courtney	Hatch	Schoenjahn	

Nays, none.

Absent, 1:

Houser

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:53 a.m. until 3:00 p.m.

RECONVENED

The Senate reconvened at 3:20 p.m., President Jochum presiding.

SPECIAL GUEST

President Jochum introduced to the Senate chamber the Honorable Maggie Tinsman, former member of the Senate from Scott County, Davenport, Iowa.

The Senate rose and expressed its welcome.

HOUSE AMENDMENT CONSIDERED

[Senate File 2196](#)

Senator Gronstal called up for consideration [Senate File 2196](#), a bill for an act relating to programs and services under the purview of the department of public health, and including effective date provisions, amended by the House in House amendment [S-5117](#), filed April 2, 2014.

Senator Wilhelm withdrew amendment [S-5137](#), filed by her from the floor to pages 1–5 of House amendment [S-5117](#).

Senator Wilhelm offered amendment [S-5140](#), filed by her from the floor to pages 1–6 of amendment [S-5117](#), and moved its adoption.

Amendment [S-5140](#) to House amendment [S-5117](#) was adopted by a voice vote.

Senator Wilhelm moved that the Senate concur in the House amendment, as amended.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment, as amended.

Senator Wilhelm moved that the bill, as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2196](#)), the vote was:

Yeas, 49:

Anderson	Danielson	Hogg	Segebart
Beall	Dearden	Horn	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Taylor
Bolkcom	Feenstra	McCoy	Whitver
Bowman	Garrett	Petersen	Wilhelm
Brase	Greiner	Quirnbach	Zaun
Breitbach	Gronstal	Ragan	Zumbach
Chapman	Guth	Rozenboom	
Chelgren	Hart	Schneider	
Courtney	Hatch	Schoenjahn	

Nays, none.

Absent, 1:

Houser

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 2196](#) be **immediately messaged** to the House.

SPECIAL GUEST

President Jochum introduced to the Senate chamber former Lieutenant Governor Joy Corning.

The Senate rose and expressed its welcome.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2349](#).

[Senate File 2349](#)

On motion of Senator McCoy, [Senate File 2349](#), a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the technology reinvestment fund, and the revenue bonds capitals II fund, and providing for related matters, and including effective date provisions, was taken up for consideration.

([Senate File 2349](#) was deferred.)

The Senate stood at ease at 3:33 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:17 p.m., President Jochum presiding.

The Senate resumed consideration of [Senate File 2349](#), previously deferred.

Senator McCoy offered amendment [S-5138](#), filed by him from the floor to pages 1 and 16 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall the amendment be adopted?" ([S.F. 2349](#)), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirnbach	
Danielson	Hogg	Ragan	

Nays, 23:

Anderson	Chelgren	Guth	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Whitver
Boettger	Feenstra	Rozenboom	Zaun
Breitbach	Garrett	Schneider	Zumbach
Chapman	Greiner	Segebart	

Absent, 1:

Houser

Amendment [S-5138](#) was adopted.

Senator McCoy offered amendment [S-5134](#), filed by him on April 7, 2014, to pages 2, 6, 7, and 19 of the bill, and moved its adoption.

Amendment [S-5134](#) was adopted by a voice vote.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2349](#)), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirnbach	
Danielson	Hogg	Ragan	

Nays, 23:

Anderson	Chelgren	Guth	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Whitver

Boettger	Feenstra	Rozenboom	Zaun
Breitbach	Garrett	Schneider	Zumbach
Chapman	Greiner	Segebart	

Absent, 1:

Houser

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 2349](#) be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 8, 2014, **concurred** in the Senate amendment to the House amendment, **and passed** the following bill in which the concurrence of the House was asked:

[Senate File 2311](#), a bill for an act relating to the criminal offenses of enticing a minor, prostitution, sexual exploitation of a minor, and human trafficking, providing for a fee, and including effective date and applicability provisions.

ALSO: That the House has on April 8, 2014, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 2130](#), a bill for an act relating to and making transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, and including effective date provisions. ([S-5139](#))

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:28 p.m. until 9:00 a.m., Wednesday, April 9, 2014.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Bernice Nielsen, Council Bluffs – For celebrating her 90th birthday. Senator Gronstal.

LaVina Swanek, Council Bluffs – For celebrating her 80th birthday. Senator Gronstal.

Mr. and Mrs. Harry VenHorst, Bettendorf – For celebrating their 70th wedding anniversary. Senator Smith.

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: Tuesday, April 8, 2014, 2:05 p.m.

Members Present: Bolkcom, Chair; Seng, Vice Chair; Feenstra, Ranking Member; Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirnbach, Schneider, and Smith.

Members Absent: None.

Committee Business: Passed [HF 2448](#) and approved [SSB 3214](#).

Adjourned: 3:05 p.m.

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: [HOUSE FILE 2448](#), a bill for an act relating to the administration of programs by the economic development authority by modifying the high quality jobs program, creating a workforce housing tax incentives program and making penalties applicable, and repealing the enterprise zone program, and including effective date and retroactive and other applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Bolkcom, Seng, Feenstra, Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirnbach, Schneider, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL ASSIGNED TO COMMITTEE

President Jochum announced that [House File 2462](#) was assigned to the **Government Oversight** committee.

AMENDMENTS FILED

S-5135	S.F. 2195	House
S-5136	S.F. 2310	House
S-5137	S.F. 2196	Mary Jo Wilhelm
S-5138	S.F. 2349	Matt McCoy
S-5139	S.F. 2130	House
S-5140	S.F. 2196	Mary Jo Wilhelm
S-5141	S.F. 2348	Matt McCoy Julian B. Garrett